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9 UNITED STATES FEDERAL DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
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14 Case No. C 09-01369

15 Robert Mayberry,

16 Plaintiff,

17 v.

18 International Business Machines Corporation,

19 a New York Corporation, and Does 1 through

20 25, inclusive

21 Defendants.
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**STIPULATION TO EXTEND THE
FILING DEADLINE FOR PLAINTIFF'S
MOTION TO AMEND**

23 IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
24 attorneys of record for all parties herein, that the current deadlines of September 10, 2009 to
25 meet and confer and September 17, 2009 to file a Motion to Amend the Complaint should be
26 extended, given the parties have agreed to mediate this case on October 7, 2009. Because the
27 trial in this case is not scheduled to take place until February 7, 2011, extending the time to file a
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1 Motion to Amend will not prejudice the parties and will allow the parties time to focus on
2 resolving this case at mediation.

3 Accordingly, the parties stipulate to the following deadlines:

- 4 1. Plaintiff shall serve his proposed Amended Complaint on defendant's counsel by
5 Friday, October 16
6 2. Plaintiff shall file and serve his Motion to Amend the Complaint by October 23,
7 2009.

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9 Dated: September 10, 2009

10 **DUCKWORTH · PETERS · LEBOWITZ LLP**

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13 By: Thomas E. Duckworth,
14 Attorneys for Plaintiff Robert Mayberry

15 DATED: September 10, 2009

16 **PAUL, HASTINGS, JANOFKY & WALKER LLP**
17 **E. JEFFREY GRUBE**
18 **JEFFREY P. MICHALOWSKI**
19 **JENNIFER Y. OH**

20 
21 **JEFFREY P. MICHALOWSKI**

22 Counsel for Defendant
23 International Business Machines Corporation

24 **IT IS SO ORDERED:**

25 Date: 9/14/09

